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DEPARTMENT FOR IO/UNESCO  
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TAGS: [SCUL](#) [UNESCO](#) [KPAO](#)  
SUBJECT: UNESCO - FIRST INTERGOVERNMENTAL MEETING OF INTANGIBLE  
CULTURAL HERITAGE COMMITTEE CONCLUDES ON SOUTH VS NORTH DIVISIVE  
NOTE

REF: PARIS 07461

1. (U) Begin Summary. The first meeting of the Inter-Governmental Committee (IGC) for the Safeguarding of the Intangible Cultural Heritage was held in Algiers November 18-19, 2006. The UNESCO D-G laid out a detailed timetable of proposed IGC and General Assembly meetings over the next two years that will likely set the pace for upcoming meetings. The IGC had a preliminary exchange of views on key criteria and other issues that will ultimately govern the process of determining which cultural expressions are inscribed on the "Representative List of the Intangible Cultural Heritage of Humanity." China will host an extraordinary session of the IGC in Beijing (23-27 May 2007) and Japan will host the IGC's second regular session in early September 2007 (date still uncertain). Reasons for concern about an incipient North-South political divide have begun to appear early within the Committee. China, India, and Japan have already begun to assert prominent roles in shaping the debate on key aspects of how the Intangible Cultural Heritage (ICH) Convention is to be implemented. The U.S. observer delegation was well-received by all and was one of a number of other UNESCO Member States not Parties to the Convention that sent observer delegations to this meeting. There was wide recognition by many of the important role that the Smithsonian Institution and other U.S. cultural agencies are already playing in supporting and promoting intangible cultural heritage not only within the United States but also in other countries as well. End Summary.

2. (U) In the wake of having reached its full complement of 24 members (see reftel), the Committee held its first meeting in Algiers on November 18-19, 2006. The U.S. Observer Delegation consisted of U.S. Mission to UNESCO Legal Adviser Michael Peay and

U.S. Patent and Trademark Office (USPTO) Office of International Relations Attorney-Adviser Michael Shapiro. The meeting was chaired by Algerian Minister of Culture, Mme Khalida Toumi. Committee representation was an interesting mix of both technical experts and professional diplomats, each group quite vocal, which resulted in a robust, analytical debate on most issues. Non-States Party observer delegations (such as the U.S. delegation) were permitted to speak, upon request, without objection by States Parties, though such interventions were very few. However, during the two days of discussions, it became increasingly clear that the Asian-Pacific States on the Committee (led by India and China) had caucused beforehand and had come prepared to use their financial muscle and political solidarity to play a dominant role in shaping the early implementation of the Convention. By the close of the conference, there was considerable grumbling, particularly among European States, that the Asian-Pacific assertiveness and their positions on important substantive issues had driven an incipient North-South wedge between Committee members. A recurring theme in Asian-Pacific States' interventions was a sense of grievance or disappointment about some aspects of the World Heritage Committee process and the need to avoid repeating that experience on this Committee.

13. (U) Key Agenda Items Addressed at Meeting. Given the brevity of only two working days, the Committee moved with relative efficiency to address all items on its agenda, with a general understanding that time would permit only a preliminary exchange of views on some agenda items. The key items addressed were: adoption of the Committee's Rules of Procedure; implementation operational guidelines; criteria for inscription on the "Representative List"; and advisory assistance to the Committee.

14. (U) Rules of Procedure. The Committee gave in-depth consideration to the draft Rules of Procedure. The UNESCO Legal Adviser acknowledged that the draft Rules of Procedure which the secretariat had prepared for the IGC were virtually identical to

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those used by the World Heritage Committee (WHC) (established under the UNESCO 1972 Convention). However, he informed the Committee that it need not "slavishly adhere" to the WHC rules. In line with that guidance, the Committee considered a number of proposed amendments to the draft rules, some of which were adopted. Among the most important amendments adopted were those relating to Rule 20 (rules applicable to consultative bodies), Rules 40 and 41 (secret ballots on IGC decisions), and Rule 43 (working languages). However, a proposal to amend the draft rules to change the voting requirement from a simple majority to a two-thirds majority (mirroring the WHC) failed to attract support. At the close of the debate on this item, the Asian-Pacific group had gotten most of the changes to the rules that it had sought.

15. (U) Implementation Operational Guidelines. The secretariat-drafted outline that was proposed as a basis for the

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preparation of the Committee's Operational Directives for implementation of the Convention were found to be wanting by a number of IGC members and is to be revised in the light of the views expressed about it. The outline became controversial and could not be adopted, because, in effect, it embodies contentious implementation issues that had not yet been taken up under separate agenda items.

16. (U) Criteria for Inscription on the Representative List. The secretariat announced at the outset that, in view of the technical

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expertise needed to evaluate certain ICH expressions, it will probably be necessary to convene an experts meeting to assist the committee in drawing up the inscription criteria. (Note: in this regard, India intervened twice to note for the record that it is prepared to host such an experts meeting; India lamented the fact that no Indian experts had known about or participated in previous experts' meetings). The Committee considered a draft set of 10 (ten) criteria. There was strong Committee resistance (led by India's UNESCO Ambassador Mukherjee) to the secretariat's operating assumption that all ten criteria should be satisfied for inscription on the List. A recurrent theme from a number of delegations

representing a variety of regions was that the inscription criteria should not be too numerous and should be sufficiently "flexible" to enable inscription. In view of time constraints and the divergent views that emerged regarding the content and quantity of inscription criteria, it was agreed that Committee Members and other States Parties to the Convention should submit their written views on the criteria by no later than 31 January 2007. Observer States not party to the Convention (e.g., the U.S. and others) were informed that the submission of written views is limited to just States Parties to the Convention. Among "criteria" issues most likely to be most in contention are: (i) number of criteria to be satisfied; (ii) rigidity vs. flexibility of criteria; inclusion, substitution, or elimination of contentious terms such as "roots", "repetition", and "free, prior, and informed consent"; (iii) duration of listing; (iv) de-listing; and (v) whether the criteria for the two lists ("Representative" and "Needing Urgent Safeguarding") will be identical.

17. (U) Advisory Bodies. Another highly contentious discussion ensued over the issue of advisory organizations, including their accreditation, and how to ensure their regional representativeness and comprehensiveness from a technical standpoint. India energetically led the charge in urging the Committee to avoid the experience of the World Heritage Committee that was limited to just two advisory bodies that were "overworked and understaffed." What should the IGC do if it disagrees with a recommendation from an advisory body was also raised by India. There was strong Chinese and other opposition (including Brazil and France to a proposed "umbrella advisory body" that would be composed of "representatives of accredited NGOs and of a limited number of private persons with widely recognized competence in the field of ICH." As proposed by the secretariat, the umbrella body would have the power to: monitor implementation of the Convention; recommend safeguarding measures; examine reports from States; review and recommend nominations for inscription on the two lists (noted above); and exercise other unspecified powers. As a parting shot on this issue, India took the floor to note that, in the World Heritage Committee context, (quote) "when Western NGOs seek to collaborate with NGOs from the South, it often does not work and tends to lead to sharp North/South divisions and the impression that the North is telling the South what to do" (end quote). This statement resonated poorly with European and some other delegates and, at the end of the day, gave the meeting a sour overtone.

18. (U) The debate on advisory bodies ended with the adoption of a resolution in which the Committee: (a) noted that it "wishes to be assisted by practitioners of ICH, NGO experts, centers of expertise with recognized competency in the field of ICH"; (b) decided to continue consideration of whether to establish an "umbrella advisory body;" (c) requested the D-G to submit a proposal on criteria for accreditation of competent NGOs; and (d) invited Committee members and other States Parties to the ICH Convention to submit suggestions and proposals on these matters before 31 January 2007.

19. (U) Venues/Timelines for next meetings. At this meeting, the IGC began to give effect to the recommended timetable of meetings that was suggested by the UNESCO D-G in the opening plenary session. It was decided that China will host an extra-ordinary session of the IGC in Beijing, 23-27 May 2007, and that Japan would host the next regular IGC session in early September (date to be determined). Should there be a need for an experts' meeting before or after either of those two IGC meetings, it is a virtual certainty that the IGC will approve India's proposal to host such a meeting. Pursuant to the D-G's timetable, the first inscription of entries on the Representative List should take place during the Committee's autumn 2008 third regular meeting. To meet that goal, the Committee members (half of whom will be preparing to leave the Committee by that date) will have to find a higher level of consensus on key issues, or begin resorting to a series of contentious votes to resolve those issues. Within this timetable, the D-G specifically noted the importance of the IGC approving operational directives, guidelines for accreditation of NGOs, and guidelines for financial assistance for submission to the 2007 General Assembly.

110. (SBU) Begin Comment: The Algiers meeting provoked unmistakable North vs. South tensions within the IGC's start-up process. Whether this proves to be temporary and largely a function of the personalities currently leading the Asian-Pacific group on the

Committee or becomes an enduring feature of the Committee's work remains to be seen. What seems clear at the moment is that a sour political overtone has been injected into the mix that could deepen further during the next several meetings - to be hosted by Asian countries. The Group I (European) countries and most Latin countries, on the other hand, have taken a less strident position and seem to be working toward a balance in inter-regional control over the implementation of this Convention. A number of countries mentioned, with admiration, to U.S. observer delegation reps the excellent ICH work being done by the Smithsonian Institution and other U.S. cultural agencies, in particular, and U.S. society, in general. Frequently, this observation was matched with a follow-on comment that it would be great if the U.S. could join the Convention and play an even greater role from the inside. U.S. observer delegation reps were frequently asked whether the U.S. will join the Convention. The routine response given was that we could not predict what future position the U.S. will take but that we are obtaining firsthand information about the Convention processes as part of giving the Convention an overall look.

¶11. (U) (Comment continued) Ironically, China and Japan (along with France, Belgium, Brazil, Nigeria, and Algeria) are among the 12 States on the Committee selected by lot to serve only two (rather than four years, ending in June 2008). They will likely attempt to exert their maximum influence for the remaining time of their tenure. This should be coupled with the fact that some Committee members seem intent on ensuring that the Intangible Cultural Heritage Convention will give to the "South" the world-renowned cultural heritage listings that the World Heritage Convention has already given to the "North." In the ICH context, however, the South will definitely need the North's practical and material assistance to achieve their goals under this Convention. Group I (largely Western European) countries will need to decide (sooner rather than later) whether they are willing to cede control over this convention entirely to the Asia-Pacific (or more generally "southern") countries, or whether they are prepared to take a more assertive role as insiders. The U.S. will also need to assess its current position as a curious observer outside the Convention's framework, in the face of repeated questions from other delegations as to whether the U.S. is prepared to formally come within the Convention regime. End Comment.  
OLIVER